

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

DEREK JONES,

Defendant.

No. 21-CR-59 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

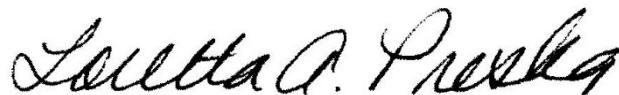
Before the Court is Defendant Derek Jones' Motion to Strike Surplusage from the Superseding Indictment (dkt. nos. 50, 51, 52), the Government's Opposition (dkt. no. 56), and Defendant's Reply (dkt. no. 61).

The parties agree, (dkt. no. 56 at 13; dkt. no. 61 at 2), that "[c]ourts in this district routinely await presentation of the Government's evidence at trial before ruling on a motion to strike." United States v. Mostafa, 965 F. Supp. 2d. 451, 467 (S.D.N.Y. 2013). In the interest of efficiency, the Court will do exactly that.

Defendant's Motion to Strike Surplusage (dkt. no. 50) is DENIED as premature, subject to renewal at the close of the Government's evidence.

**SO ORDERED.**

Dated: October 15, 2021  
New York, New York

  
LORETTA A. PRESKA  
Senior United States District Judge